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Message:

Enclosed herewith:

- Transmittal Document; and
- Appeal Brief.

Re: Application No. 09/616,140
Attorney Docket No: AUS9-2000-0257-US1

Date: Monday, January 24, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Coleman**	§	Group Art Unit: **2661**
	§	
Serial No.: **09/616,140**	§	Examiner: **Blount, Steven**
	§	
Filed: **July 13, 2000**	§	Attorney Docket No.: **AUS9-2000-0257-US1**
	§	

For: **Apparatus and Method for
Providing Access to a Data Stream by
a Plurality of Users at a Same Time**

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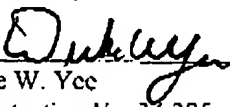
By: _Monica Gamez_
Monica Gamez

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Commissioner for Patents
P.O. Box 1450
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Sir:
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• Appeal Brief (37 C.F.R. 41.37).

A fee of $500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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Docket No. AUS9-2000-0257-US1   *PATENT*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Coleman**	§	
	§	Group Art Unit: **2661**
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By: *Monica Gamez*
    Monica Gamez

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on November 22, 2004.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

(Appeal Brief Page 1 of 27)
Coleman – 09/616,140

PAGE 3/11 * RCVD AT 1/24/2005 5:07:43 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/6 * DNIS:8729306 * CSID:9723857766 * DURATION (mm-ss):02-40

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation (IBM) of Armonk, New York.

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-49

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: None
2. Claims withdrawn from consideration but not canceled: 23-46
3. Claims pending: 1-49
4. Claims allowed: 9
5. Claims rejected: 1-8, 10-22, 47-49

C. CLAIMS ON APPEAL

The claims on appeal are: 1-8, 10-22, 47-49

STATUS OF AMENDMENTS

No amendments have been submitted since the final office action was issued.

SUMMARY OF CLAIMED SUBJECT MATTER

A.   CLAIM 1 - INDEPENDENT

Claim 1 is directed to a method of communicating between one and a plurality of devices. The method is shown in **Figure 6B**, which is discussed on page 22, line 30 through page 23, line 14. The method comprises the steps of:

receiving input to an application data stream from a device (shown in step **730**, discussed on page 23, lines 10-12);

receiving output from the application data stream based on the received input and input from the plurality of other devices (shown in step **720**, discussed on page 22, lines 8-10); and

providing the output to the device and the plurality of devices at substantially a same time (shown by the loop that includes sending step **720** and moving through the table to next entries, shown by step **740** and the return to step **715**, discussed on page 23, lines 3-14);

wherein only the output from the application data stream is shared by the device and the plurality of devices (shown in **Figure 5**, which is discussed on page 16, line 25 through page 18, line 21. It is disclosed that specific devices share each data stream, but information from other data streams are not received unless they are requested.

B.   CLAIM 13 - INDEPENDENT

Claim 13 is directed to a method of providing a device with shared access to a data stream. This method is partially shown in **Figure 6A**, which is discussed on page 22, lines 10-28 and the remainder shown in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14. The method comprises the steps of:

receiving a request for access to the data stream from a device (shown by step **610** in **Figure 6A**, discussed on page 22, line 13-15);

adding an entry to a data stream splitter table for the device (shown by step **630** in **Figure 6A**, discussed on page 22, lines 16-19); and

providing the device access to the data stream via a data stream splitter in accordance with the entry in the data stream splitter table, wherein providing the device access includes

providing output from the data stream to the device and sending input from the device to the data stream, and wherein the output from the data stream is provided in a real time manner based on the input from the device and input received from at least one other device (shown by **Figure 6B**, especially by steps 710, 720, 730 and the mechanism of looping through the process, discussed on page 22, line 29 through page 23, line 14).

C. CLAIM 14 - INDEPENDENT

Claim 14 is directed to a method of providing a plurality of devices shared access to a data stream. The method is shown in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14; an example of the display from the method in use is shown in **Figure 7**, discussed on page 23, line 15 through page 24, line 22). The method comprises the steps of:

receiving, from a device, input to the data stream (shown in step 730 of **Figure 6B**);

generating data stream output based on the input from the device (shown in **Figure 7**, discussed on page 23, line 15 through page 24, line 22); and

supplying the data stream output to other devices of the plurality of devices in a sequential manner, wherein the input is non-blocking raw input that is received as the device generates the input on a character by character basis, and wherein the data stream output is generated on a character by character basis as the input is received (shown in step 720 as it is recursively performed, input being non-blocking raw input is discussed on page 20, line 19 through page 21, line 2).

D. CLAIM 15 - INDEPENDENT

The subject matter of claim 15 is directed to a method of providing shared access to a bi-directional data stream. This method is shown in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14. The method comprises the steps of:

cycling through entries in a data stream splitter table, each entry in the data stream splitter table identifying a client device (shown by the figure as a whole, especially by steps 710 and 740, discussed on page 22, line 29 through page 23, line 14);

sending data from the data stream to the client device identified in each entry based on the cycling through of the entries (shown by step 720, discussed on page 23, lines 8-10); and

receiving data from the client device identified in each entry, based on the cycling through of the entries, and sending the data from the client device to the bi-directional data stream (shown by step **730**, discussed on page 23, lines 10-12).

E.   CLAIM 47 - INDEPENDENT

The subject matter of claim 47 is directed to a method of communicating between one and a plurality of devices. The method is shown in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14, while an example showing two users providing input is shown in **Figure 7**, discussed on page 23, line 15 through page 24, line 22. The method comprises the steps of:

receiving from at least two of the plurality of devices, input to an application (the step of receiving is shown in step **730** discussed on page 23, lines 10-12);

combining the input from the at least two of the plurality of devices to produce combined output (implied by the recursion of **Figure 6B**, an example showing input from two users is shown in **Figure 7**, discussed on page 23, line 15 through page 24, line 22); and

simultaneously outputting the combined output at each of the plurality of devices (shown in the recursion of **Figure 6B**).

F.   CLAIM 48 - INDEPENDENT

The subject matter of claim 48 is directed to a method of communicating between one and a plurality of devices. The method is shown in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14; an example of the method is shown in **Figure 7**, discussed on page 23, line 15 through page 24, line 22). The method comprises the steps of:

receiving, from a device, input to an application (receiving shown in step **730**; that it is input to an application is shown in the example of **Figure 7**);

receiving an output from the application based on the received input and input from one or more of the plurality of other devices (shown in the example of **Figure 7**); and

providing the output to each of the plurality of devices at substantially a same time (shown in the recursion of **Figure 6B**, discussed on page 22, line 29 through page 23, line 14 and in the example of **Figure 7**).

G.   CLAIM 49 - INDEPENDENT

The subject matter of claim 49 is directed to a method of displaying an output display from an application shared by a plurality of devices. The overall idea of this method is shown in **Figure 5**, discussed on page 16, line 1 through page 22, line 1, with the specific steps shown or suggested in **Figure 6B**, which is discussed on page 22, line 29 through page 23, line 14. **Figure 7**, discussed on page 23, line 15 through page 24, line 22, shows an example of the method being used, with two users on different devices sharing ideas. The method comprises the steps of:

receiving input from at least two of the plurality of devices (shown by step 730 as it is recursively performed within the loop);

combining the input from the at least two of the plurality of devices (suggested by the recursion of **Figure 6B**, an example is shown in **Figure 7**); and

displaying, substantially simultaneously, an output display based on the combined input from the at least two of the plurality of devices at the at least two of the plurality of devices (an example of which is shown in **Figure 7**).